

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Investigation of Alascom, Inc.)	
Interstate Transport and Switching Services)	CC Docket No. 95-182
Tariff FCC No. 11)	
)	

ORDER EXTENDING PLEADING CYCLE

Adopted: October 18, 2004

Released: October 18, 2004

Replies Due: November 1, 2004

By the Deputy Chief, Pricing Policy Division:

I. INTRODUCTION

1. In September 1995, Alascom, Inc. (Alascom), a telecommunications common carrier providing interstate transport and switching services to other common carriers in Alaska and between Alaska and the continental United States, filed its first Tariff FCC No. 11.¹ The Common Carrier Bureau (now the Wireline Competition Bureau) (Bureau) suspended this tariff, imposed an accounting order, and instituted an investigation.² Similarly, all of Alascom's subsequent annual Tariff FCC No. 11 rates have been suspended and set for investigation, with accounting orders imposed.³ All of these investigations have been incorporated into the investigation of Alascom's original Tariff FCC No. 11. On July 30, 2004, the Bureau released an order designating issues for investigation in this proceeding, which, among other things, established a pleading cycle for the filing of a direct case by Alascom, oppositions to the direct case, and replies to the oppositions.⁴ On August 25, 2004, the Bureau granted in part and denied in part Alascom's motion seeking an extension of the filing deadlines in this pleading cycle, requiring Alascom to file a portion of its direct case by August 30, 2004, the remainder by September 17, 2004,

¹ See Alascom, Inc., Tariff FCC No. 11, Transmittal No. 790 (filed Sept. 22, 1995). Alascom is required to provide these services to other common carriers pursuant to tariff by the Commission's *Market Structure Order. Integration of Rates and Services for the Provision of Communications by Authorized Common Carriers between the Contiguous States and Alaska, Hawaii, Puerto Rico, and the Virgin Islands*, CC Docket No. 83-1376, Memorandum Opinion and Order, 9 FCC Rcd 3023 (1994) (*Market Structure Order*).

² *Alascom, Inc. Tariff FCC No. 11, Transmittal No. 790*, CC Docket No. 95-182, Order, 11 FCC Rcd 3703 (Com. Car. Bur. 1995).

³ See, e.g., *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11, Transmittal No. 807*, CC Docket No. 95-182, Order, 11 FCC Rcd 10833 (Tariff Div. 1996); *Transmittal No. 852*, CC Docket No. 95-182, Order, 12 FCC Rcd 3646 (Comp. Price. Div. 1997); *Transmittal No. 921*, CC Docket No. 95-182, Order, 13 FCC Rcd 187 (Comp. Price. Div. 1997).

⁴ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Order Designating Issues for Investigation, DA 04-2349 (Wireline Comp. Bur. rel. July 30, 2004).

oppositions to be filed by October 5, 2004, and replies to be filed by October 15, 2004.⁵ Alascom filed its direct case consistent with this order.⁶ On October 1, 2004, the Bureau granted a request of General Communication, Inc. (GCI), supported by ACS Long Distance (ACS-LD), to extend the deadline for filing oppositions to Alascom's direct case until October 13, 2004, and set a new filing date of October 22, 2004 for filing of replies.⁷ Also on October 1, 2004, but after grant of GCI's request, Alascom filed a partial opposition to GCI's request, stating that GCI's request should be denied, but that, if granted, Alascom should be allowed until November 1, 2004, to file a reply to oppositions.⁸ No party filed an opposition to this extension. In this order we deny Alascom's request to refuse GCI's request for an extension as moot, and grant Alascom's request to be allowed until November 1, 2004 to file a reply to oppositions.

II. DISCUSSION

2. As stated above, Alascom filed its partial opposition to GCI's request for an extension after the Bureau had already granted GCI's request. Therefore, we deny this portion of Alascom's opposition as moot. Alascom also states in its partial opposition that, if GCI's request for an extension is granted, Alascom should be allowed until November 1, 2004, to reply to oppositions.⁹ Since Alascom filed its partial opposition to GCI's request, GCI has filed a lengthy opposition to Alascom's direct case, supported by several affidavits, and alleging significant flaws in the manner in which Alascom's electronic model setting its Tariff FCC No. 11 rates implements Alascom's Cost Allocation Plan (CAP). We agree that Alascom should be allowed more time to reply to a lengthy opposition containing such substantive allegations. We also find that the public interest is better served by development of a thorough record in this complex investigation. Therefore, we grant Alascom's request to extend until November 1, 2004, the deadline for filing replies to oppositions.

III. ORDERING CLAUSES

3. ACCORDINGLY, IT IS ORDERED that, pursuant to sections 4(i), 4(j), 201-205, and 403 of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 201-205, and 403, and pursuant to the authority delegated by sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, the pleading cycle established in this matter shall be modified as follows:

Replies Due: November 1, 2004

4. IT IS FURTHER ORDERED that the Partial Opposition to Request for Extension of ALASCOM, INC. is DENIED in part and GRANTED in part, as set forth herein.

FEDERAL COMMUNICATIONS COMMISSION

⁵ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Order Extending Pleading Cycle, DA 04-2679 (Wireline Comp. Bur. rel. Aug. 25, 2004).

⁶ *See Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Letter from Charles R. Naftalin, Counsel for Alascom, Inc., to Marlene H. Dortch, Secretary, Federal Communications Commission (filed Aug. 30, 2004); Direct Case of Alascom, Inc. (filed Sept. 17, 2004).

⁷ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Order Extending Pleading Cycle, DA 04-3182 (Wireline Comp. Bur. rel. Oct. 1, 2004).

⁸ *Investigation of Alascom, Inc., Interstate Transport and Switching Services, Tariff FCC No. 11*, CC Docket No. 95-182, Partial Opposition to Request for Extension at 2-3 (filed Oct. 1, 2004).

⁹ *Id.*

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